

FILED: July 25, 2016

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

**No. 16-9516
(8:98-cr-00520-PJM-1)**

In re: WILLIS MARK HAYNES,

Movant.

O R D E R

Willis Mark Haynes has filed a motion pursuant to 28 U.S.C. §§ 2244, 2255(h) (2012) for authorization to file a second or successive 28 U.S.C. § 2255 (2012) motion. Haynes has made a *prima facie* showing that the new rule of constitutional law announced in Johnson v. United States, 135 S. Ct. 2551 (2015), and held to apply retroactively to cases on collateral review by Welch v. United States, 136 S. Ct. 1257 (2016), may apply to his case. See In re Hubbard, __ F.3d __, No. 15-276, 2016 WL 3181417 (4th Cir. June 8, 2016). We grant authorization for Haynes to file a second or successive § 2255 motion, thus permitting consideration of the motion by the district court in the first instance. We express no view as to the timeliness of a § 2255 motion filed pursuant to this grant of authorization.

Entered at the direction of the panel: Judge Wilkinson,
Judge King, and Judge Harris.

For the Court

/s/ Patricia S. Connor, Clerk